

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: <u>9/23/05</u>		2 Serial/Patent # <u>09621574</u>		
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Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:



07-22-05

DAC #  
JANDocket No.: 58071-CON/RCE (47126)  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Gregor Cevc

Application No.: 09/621,574 - Conf. No.: 5661

Art Unit: 1615

Filed: July 21, 2000

Examiner: G. S. Kishore

For: PREPARATION FOR THE APPLICATION OF AGENTS IN MINI-DROPLETSMAIL STOP: AMENDMENT  
Commissioner for Patent  
P.O. Box 1450  
Alexandria, VA 22313-1450**PETITION UNDER 37 C.F.R. §1.182 TO WITHDRAW EFFECT OF TERMINAL  
DISCLAIMER IN PRESENT APPLICATION**

Applicants hereby Petition under 37 C.F.R. §1.182 to withdraw any effect of the terminal disclaimer filed in U.S.S.N. 07/844,664 on the present application (U.S.S.N. 09/621,574).

1. On April 8, 1992, Applicant filed a United States National Application based on PCTEP91/01596. The PCT application was filed on August 22, 1991 and claimed a priority date of August 24, 1990. The United States National Application received United States Serial Number 07/844,664 (hereinafter referred to as U.S.S.N. 07/844,664).
2. On June 25, 1992, U.S.S.N. 07/844,664 became abandoned under 37 CFR §1.494. While Applicant submitted 149 pages of translated specification, 10 pages of translated claims, and a translated abstract, Applicant inadvertently did not translate the graph headings in the drawings from German to English prior to June 25, 1992.
3. On August 20, 1992, the U.S.P.T.O. mailed Applicant's former counsel (hereinafter Merchant & Gould) a Notification of Abandonment.

**Certificate of Express Mailing**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. **EV654386399US**, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 20, 2005

Signature: 

(Lakeisha Bryant)

07/25/2005 WABDELRI 00000119 041105 09621574

400.00 DA  
01 FC:1462

Adjustment date: 09/23/2005 CKHLOK  
07/25/2005 WABDELRI 00000119 041105 09621574  
01 FC:1462 400.00 CR

CONCLUSION

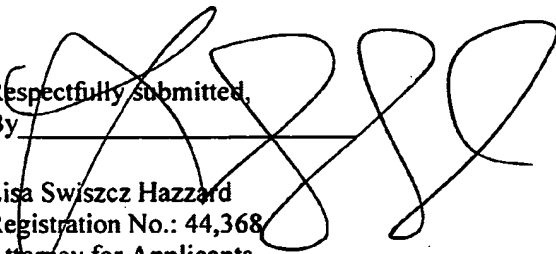
For at least the above reasons, Applicants urge that the October 23, 1995 Terminal Disclaimer, filed for U.S.S.N. 07/844,664, not apply to the present application.

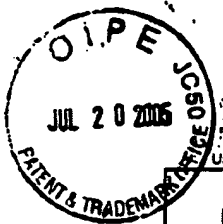
The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 58071 (47126). A duplicate copy of this paper is enclosed.

If a telephone conversation with Applicants' attorney would expedite consideration and granting of this position, the Commissioner is invited to contact the undersigned at the telephone number indicated below.

Dated: July 20, 2005

Respectfully Submitted,  
By \_\_\_\_\_

  
Lisa Swiszc Hazzard  
Registration No.: 44,368  
Attorney for Applicants  
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P.O. Box 55874  
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Fax No.: (617) 439-4170



**PETITION FEE**  
**Under 37 CFR 1.17(f), (g) & (h)**  
**TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/621,574-Conf. #5661
Filing Date	July 21, 2000
First Named Inventor	Gregor Cevc
Art Unit	1615
Examiner Name	G. S. Kishore
Attorney Docket Number	58071-CON/RCE (47126)

Enclosed is a petition filed under 37 CFR 1.182 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 400.00 is enclosed.  
This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

**Payment of Fees** (small entity amounts are NOT available for the petition fees).

- ☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 04-1105 :  
☒ Petition fee under 37 CFR 1.17(f), (g) or (h) ☒ Any deficiency of fees and credit of any overpayments  
Enclose a duplicative copy of this form for fee processing.  
☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.  
☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

- § 1.53(e) - to accord a filing date.
- § 1.57(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in *ex parte* reexamination proceedings.
- § 1.856 - for patent owner requests for extension of time in *inter partes* reexamination proceedings.
- § 6.12 - for expedited handling of a foreign filing license.
- § 5.15 - for changing the scope of a license.
- § 5.25 - for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.

\_\_\_\_\_  
Signature  
Lisa Swiszc Hazzard  
Typed or printed name

\_\_\_\_\_  
Date  
July 20, 2005  
\_\_\_\_\_  
44,368  
Registration No., if applicable

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Dated: July 20, 2005

Signature:  (Lakeisha Bryant)